

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

JOHAN STEVON GILLETTE,

Plaintiff,

6:13-cv-02007-CL

v.

ORDER

THOMAS M. TURNER, et al.,

Defendants.

AIKEN, District Judge.

Defendants move to dismiss this action on the ground that plaintiff has failed to keep the court informed of his mailing address. Motion to Dismiss (#18).

Pursuant to Local Rule 83.10, a party not represented by counsel has a "continuing duty to notify the clerk's office whenever they change their mailing address or telephone number." When mail from the court to a party cannot be delivered due to the lack of a current address, and the

failure continues for sixty (60) days, the court may dismiss the action. Local Rule 83.12.

Plaintiff has not filed a response to defendants' Motion to Dismiss for failure to Exhaust Administrative remedies (#13), or otherwise contacted the court since he filed this action on November 12, 2013.

A Motion to Dismiss Advice Notice sent to plaintiff on March 31, 2014, was returned to the court on April 7, 2014, as undeliverable.

Therefore, defendants' Motion to Dismiss (#18) is allowed. This action is dismissed for failure to prosecute and for failure to comply with the requirements of L.R. 83.10. Defendants' Motion to Dismiss for failure to Exhaust Administrative Remedies (#13) is denied as moot. The clerk of the court is directed to enter a judgment dismissing this action with prejudice.

***Any appeal from this order or judgment of dismissal would be frivolous and not taken in good faith. Plaintiff's n forma pauperis status is revoked.***

IT IS SO ORDERED

DATED this 10<sup>th</sup> day of June, 2014.

  
Ann Aiken  
United States District Judge